UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,976	08/26/2003	Alain Guigui	50017848-2	6713

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EXAMINER
NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
2143	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 August 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13 and 15-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13 and 15-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *8/16/2004*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Drawings

1.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, all features/limitations cited in claim 16 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

        The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

        The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3.   The abstract of the disclosure is objected to because the abstract should be in narrative

form and limited to a single paragraph. Correction is required. See MPEP § 608.01(b).

Claim Objections

4.   Claim 18 is objected to because of the following informalities:

        Re claim 18, the applicant is advised that claim 18 is exactly the same as claim

15. Thus, the applicant is required to remove or to amend the duplicated claim 18.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

        The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   Claims 1-13 and 15-18 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Re claim 2, the term "may be" in claim is a relative term which renders the claim

indefinite. The term "may be" is not defined by the claim, the specification does not

provide a standard for ascertaining the requisite degree, and one of ordinary skill in the

art would not be reasonably apprised of the scope of the invention. For examination

purposes, the examiner considers the term "may be" as "are" for definite scenario.

Claims 13 and 16 have the same rejection.

Re claim 3, the phrase "substantially" renders the claim indefinite because it is

unclear whether the limitations following the phrase are part of the claimed invention.

Claim 16 has the same rejection.

Re claim 5, the phrase "such as" renders the claim indefinite because it is unclear

whether the limitations following the phrase are part of the claimed invention. See

MPEP § 2173.05(d). Claims 15 and 17-18 have the same rejection.

Thus, claim 4 is also rejected for being dependent on the rejected base claim 2.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8.   Claims 1-13, and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by

Trivedi (U.S. 2002/0138563).

Re claim 1, Trivedi discloses in Figures 1-13 in a communications environment, a

system for managing user profile data (e.g. abstract and Figure 3), comprising: a) a

network interface layer operatively associated with a communications network (e.g. 320

in Figure 3), b) a data storage layer, operative to store user profile data relating to the

communications network (e.g. paragraph [0010]), and c) a data conversion layer,

functionally disposed between the network interface and the data storage layers and

which is capable of converting the user profile data into a plurality of communications

network formats (e.g. paragraphs [0008-0010]).

Re claim 2, Trivedi further discloses in Figures 1-13 the data conversion layer is

capable of making bi-directional contact with the network interface layer whereby a

plurality of communications network data formats may be converted into a user profile

data format compatible with the data storage layer (e.g. Figure 5, paragraphs [0010 and

0059-0060]).

Re claim 3, Trivedi further discloses in Figures 1-13 the user profile data is

provided in a substantially single format (e.g. Figures 1 and 5).

Re claim 4, Trivedi further discloses in Figures 1-13 the user profile data is

provided in a tagged or tag-based format (e.g. paragraphs [0061-0062 and 0071-0074]).

Re claim 5, Trivedi further discloses in Figures 1-13 the user profile data is provided using an Internet mark-up language such as XML (e.g. paragraphs [0061-0062]).

Re claim 6, Trivedi further discloses in Figures 1-13 an aggregation layer operative to convene user profile data relating to a plurality of different communications networks (e.g. paragraph [0008]).

Re claim 7, Trivedi further discloses in Figures 1-13 the aggregation layer has a push/pull relationship with the data conversion and data storage layers (e.g. paragraph [0008]).

Re claim 8, Trivedi further discloses in Figures 1-13 the aggregation layer comprises a data store selector operative to effect storage of user profile data in appropriate sectors of the data storage layer (e.g. as part of database).

Re claim 9, Trivedi further discloses in Figures 1-13 the data storage layer comprises a rules repository accessible by the aggregation layer, the rules contained within the repository influencing the operation of the aggregation layer (e.g. paragraphs [0085-0093]).

Re claim 10, Trivedi further discloses in Figures 1-13 a user access module operative to receive information from a user or subscriber and to effect or request a change, where appropriate, in the user profile data contained within the data storage layer (e.g. paragraph [0010]).

Re claim 11, Trivedi further discloses in Figures 1-13 the user access module forms part of the network interface layer (e.g. Figures 2-3).

Re claim 12, Trivedi further discloses in Figures 1-13 the user access module is receptive to information transmitted using a web-based protocol such as HTTP (e.g. paragraphs [0010-0011]).

Re claim 13, Trivedi discloses in Figures 1-13 in a communications environment, a system for managing user profile data (e.g. abstract and Figure 3), comprising: a) a network interface layer operatively associated with a plurality of different communications networks (e.g. network interface 320 in Figure 3), b) a data storage layer, operative to store user profile data relating to the communications networks (e.g. paragraphs [0010 and 0061]), and c) a data conversion layer, functionally disposed between the network interface and data storage layers and which is capable of effecting a conversion between a plurality of communications network formats and a user profile format (e.g. paragraphs [0008-0010]), whereby a plurality of communications networks may have access to the data storage layer, thus enabling services to be provided using such networks that are tailored in accordance with the user profile data (e.g. paragraphs [0008-0011 and 0106]).

Re claim 15, Trivedi further discloses in Figures 1-13 the network interface layer is operatively associated with a plurality of communications networks such as mobile telecommunications (e.g. paragraph [0003]), public switched telephone, enterprise and Internet networks.

Re claim 16, Trivedi discloses a) a network interface layer operatively associated with a communications network (e.g. 320 in Figure 3) and comprising the user access module is receptive to information transmitted using a web-based protocol such as HTTP

(e.g. paragraphs [0010-0011]) and operative to receive information from a user or

subscriber and to effect or request a change, where appropriate, in the user profile data

contained within the data storage layer (e.g. paragraph [0010]); b) a data storage layer,

operative to store user profile data relating to the communications network (e.g.

paragraph [0010]), and c) a data conversion layer, functionally disposed between the

network interface and the data storage layers and which is capable of converting the user

profile data into a plurality of communications network formats (e.g. paragraphs [0008-

0010]); and the aggregation layer having a push/pull relationship with the data conversion

and data storage layers (e.g. paragraph [0008]) and operative to convene user profile data

relating to a plurality of different communications networks (e.g. paragraph [0008]), the

aggregation layer comprises a data store selector operative to effect storage of user

profile data in appropriate sectors of the data storage layer (e.g. as part of database),

wherein the data conversion layer is capable of making bi-directional contact with the

network interface layer whereby a plurality of communications network data formats may

be converted into a user profile data format compatible with the data storage layer (e.g.

Figure 5, paragraphs [0010 and 0059-0060]) and the data storage layer comprises a rules

repository accessible by the aggregation layer, the rules contained within the repository

influencing the operation of the aggregation layer (e.g. paragraphs [0085-0093]).

Re claim 17, it has same limitations cited in claim 15. Thus, claim 17 is also

rejected under the same rationale as cited in the rejection of rejected claim 15.

Re claim 18, it has same limitations cited in claim 15. Thus, claim 18 is also

rejected under the same rationale as cited in the rejection of rejected claim 15.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

U.S. Patent No. 6,732,181

U.S. Patent No. 6,678,516

U.S. Patent No. 6,496,855

U.S. Patent No. 2004/0019900

U.S. Patent No. 2002/0129088

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919.

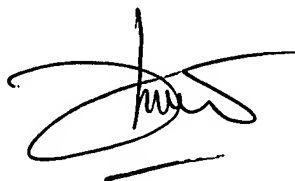The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phuoc H Nguyen
Examiner
Art Unit 2143

September 22, 2007